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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GARY BOCCADUTRE and PAUL V. MANNINO

Serial No: 09/841,570

Filing Date: April 24, 2001

Title: IMPrOved POWER ASSISTED LEVER ARM RATCHET

Examiner: SHAKERI, HADI

Group Art Unit: 3723

December 30, 2008

Attorney's Docket No.: FRB 211T3

TRANSMITTAL LETTER

Commissioner for Patents

P.O. BOX 1450

Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith for filing is:

<X> REVISED AMENDMENT dated November 24, 2008

<X> COPY OF NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

<X> The Commissioner is hereby authorized to charge any fees under 37 CFR. 1.16, 1.17 and 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if(r) account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

< > Please charge my Deposit Account No.11-0224 in the amount of \$_____. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided here-below. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above-recited document(s).

Horst M. Kasper

Horst M. Kasper, 13 Forest Drive, Warren, N.J. 07059

Reg. No. 28,559 Tel.(908) 526-1717

CERTIFICATE OF MAILING under 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Hon. Commissioner for Patents, Alexandria VA. 22313 on **DEC 30 2008** Signature: *[Signature]*

Date: **DEC 30 2008**

%FRB211T3-/December 30, 2008/am



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GARY BOCCADUTRE and PAUL V. MANNINO

TITLE: IMPROVED POWER ASSISTED LEVER ARM RATCHET

Serial No.: 09/841,570

Filing Date: 04/24/2001

Examiner: SHAKERI, HADI

Group Art Unit: 3723

November 24, 2008

Docket No.:FRB211A10

AMENDMENT (REVISED)

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

SIR:

This is in response to the Office Action mailed on June 25, 2008 and stating a shortened statutory period for response of three months to expire on September 25, 2008.

Applicants petition that, if required, the time for response be extended and the corresponding fee be charged. The Commissioner is hereby authorized to charge any additional fees which may be required to Acct. No. 11-0224. Applicants respectfully request that this response be accepted as a bona fide effort to meet any potential response requirements outstanding and due in the above captioned matter.

Please amend the application as follows:

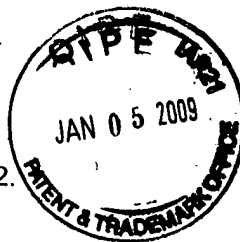
Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 09/841,570	Applicant(s) BOCCADUTRE ET AL.	
		Art Unit 1600	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 28 November, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: last page of claims should be separate from the remarks.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.



TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /FLORENCE R. PATTERSON/

Telephone No: (571)272-0544